

IN THE SENATE

SENATE BILL NO. 1193

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AUTHORIZING THE TRANSFER OF MONEYS FROM THE DEPARTMENT OF FISH AND GAME TO THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2009; AUTHORIZING THE TRANSFER OF MONEYS FROM THE BUREAU OF OCCUPATIONAL LICENSES TO THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2009; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Attorney General the following amounts to be expended for the designated programs according to the designated expense classes from the listed funds for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	TOTAL
I. STATE LEGAL SERVICES:				
FROM:				
General Fund	\$15,613,700	\$724,100	\$39,600	\$16,377,400
American Reinvestment Fund	100,000	300,000		400,000
Consumer Protection Fund	305,700	119,900		425,600
Federal Grant Fund	<u>602,500</u>	<u>346,600</u>	<u> </u>	<u>949,100</u>
TOTAL	\$16,621,900	\$1,490,600	\$39,600	\$18,152,100
II. SPECIAL LITIGATION:				
FROM:				
General Fund		\$951,600		\$951,600
GRAND TOTAL	\$16,621,900	\$2,442,200	\$39,600	\$19,103,700

SECTION 2. In accordance with Section 67-3519, Idaho Code, the Attorney General is authorized no more than two hundred seven and fifteen-hundredths (207.15) full-time equivalent positions at any point during the period July 1, 2009, through June 30, 2010, for the programs specified in Section 1 of this act, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized.

1 SECTION 3. On or before June 30, 2009, the State Controller, at the request of the
2 Attorney General, shall transfer \$106,300 from the Fish and Game Fund within the Department
3 of Fish and Game, to the Consumer Protection Fund within the Office of the Attorney General.
4 The intent of this transfer is to mitigate the impact of adding staff for the Office of the Attorney
5 General to provide legal services to the Department of Fish and Game for fiscal year 2010.

6 SECTION 4. On or before June 30, 2009, the State Controller, at the request of the
7 Attorney General, shall transfer \$100,300 from the State Regulatory Fund in the Bureau of Oc-
8 cupational Licenses in the Department of Self-Governing Agencies, to the Consumer Protection
9 Fund within the Office of the Attorney General. The intent of this transfer is to mitigate the
10 impact of adding staff for the Office of the Attorney General to provide legal services to the
11 Bureau of Occupational Licenses for fiscal year 2010.

12 SECTION 5. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the
13 extent possible, our capable, quality employees who support the essential services and statuto-
14 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical
15 essential services to be those that maintain the health and safety of our citizens and the ed-
16 ucation of our children. While extending flexibility to the Governor and agency directors to
17 manage the state workforce to the best of their ability during these difficult times, it remains the
18 responsibility of the Legislature to identify priorities for the state workforce. The Legislature
19 finds that reductions in personnel funding shall first be managed through salary reductions that
20 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,
21 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-
22 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature
23 that these policies shall be adhered to by the executive, legislative, and judicial branches to the
24 extent allowed by law.

25 SECTION 6. SALARY REDUCTION. Inasmuch as salary reductions will save jobs; and
26 inasmuch as a five percent (5%) reduction in personnel funding may create a reduction in force;
27 and inasmuch as the state as a single employer of multiple departments and agencies is required
28 by law to direct across the board salary adjustments; agencies and institutions shall reduce all
29 salaries of classified and nonclassified employees, regardless of fund source, by three percent
30 (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010. Agencies shall
31 use personnel cost savings, furloughs, and a reduction in force to manage the remaining two
32 percent (2%) in funding reductions. The Division of Human Resources shall adjust all pay
33 schedules for the classified personnel system downward to the extent that all beginning mini-
34 mum salaries are three percent (3%) less than those in effect upon the date of passage of this
35 law.

36 SECTION 7. An emergency existing therefor, which emergency is hereby declared to
37 exist, Sections 3, 4 and 6 of this act shall be in full force and effect on and after passage and
38 approval.